

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B8400443

PRINT DATE: 04/19/18

PAGE: 01

SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

VENDOR ID:

POWERHOUSE TOOL & SUPPLY INC
201-C1 RITCHIE RD

CAPITOL HEIGHTS, MD 20743
(301) 350-8200

REFER QUESTIONS TO:

IRIS LESTER BELL
(410) 767-4612
IRIS.LESTER@MARYLAND.GOV

ITB: 001IT820763

EXPR DATE: 04/20/21

POST DATE: 04/19/18

DISCOUNT TERMS: .

NET 30 DAY

CONTRACT AMOUNT:

.00

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

STATEWIDE CONTRACT
FOR
ABSORBENT MATERIAL

CONTRACT TERM: APRIL 20, 2018 THROUGH APRIL 20, 2021 (3 YEARS)

THIS CONTRACT IS SUBJECT TO THE TERMS AND CONDITIONS OF A COMMODITIES CONTRACT OVER \$25,000.00.

THE PURPOSE OF THIS CONTRACT IS TO OBTAIN A SOURCE OF SUPPLY OF ABSORBENT MATERIAL AT A FIRM FIXED PRICE WITH NO OPTIONS TO INCREASE.

THE STATE RESERVES THE RIGHT TO INSPECT EACH SHIPMENT PRIOR TO ACCEPTANCE BY THE STATE FOR COMPLIANCE WITH THE SPECIFICATION HEREIN.

VENDOR REPRESENTATIVE CONTACT: IVY SPEAKE
EMAIL ADDRESS: IVY@POWERHOUSETOOLSUPPLY.COM
TELEPHONE #(301) 350-8200

AGENCY CONTACT: IRIS LESTER BELL
EMAIL ADDRESS: IRIS.LESTER@MARYLAND.GOV
TELEPHONE #(410) 767-4612

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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
0001	48574-900000	BG	19.9500

ABSORBENT MATERIAL "W" HYDROCARBON - 100% RECLAIMED SHORT FIBER WOOD PULP

ABSORBENT MATERIAL MUST MEET THE FOLLOWING MATERIAL, PACKAGING AND DELIVERY SPECIFICATIONS. ANY MATERIAL THAT DOES NOT MEET THESE SPECIFICATIONS WILL NOT BE ACCEPTED WITHOUT THE EXPRESS PRIOR APPROVAL OF THE MARYLAND DEPARTMENT OF THE ENVIRONMENT EMERGENCY RESPONSE DIVISION.

SEE ATTACHED SPECIFICATIONS.

END OF ITEM LIST

THIS PROCUREMENT WAS CONDUCTED AS A COMPETITIVE SEALED BID. THE AWARD WAS MADE TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER (BASIS FOR AWARD).

VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE OF COMPANY ADDRESS ON ALL INVOICES. FAILURE TO DO SO MAY RESULT IN DELAY OF PAYMENT.

ALL PRODUCTS USED IN PACKING TO CUSHION AND PROTECT DURING THE SHIPMENT OF COMMODITIES ARE TO BE MADE OF RECYCLED, RECYCLABLE, AND/OR BIODEGRADABLE MATERIALS.

C O N T R A C T

AVAILABLE TO: DESIGNATED AGENCY ONLY ()
ALL STATE OF MARYLAND AGENCIES (X)
STATE AGENCIES AND POLITICAL SUBDIVISIONS ()

AFTER AWARD OF THE CONTRACT, THE CONTRACT SHALL BE ADMINISTERED, WHOLLY OR IN PART (AS DETERMINED BY THE STATE OF MARYLAND), USING EMARYLAND MARKETPLACE, THE STATE OF MARYLAND'S INTERNET-BASED PROCUREMENT SYSTEM. THE CONTRACTOR SHALL, AS REQUIRED BY THE STATE:

1. ENTER INTO A CONTRACTUAL AGREEMENT WITH THE STATE OF MARYLAND'S CONTRACT PROVIDER OF EMARYLAND MARKETPLACE FOR THE PAYMENT OF A 1% TRANSACTION FEE NOT TO EXCEED \$500 FOR EACH PURCHASE

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TERMS (cont'd):

ORDER GENERATED IN THE SYSTEM.

2. POST ALL ITEMS LISTED IN THE AWARDED CONTRACT ON THE EXCEL SPREADSHEET PROVIDE IN THE SOLICITATION ATTACHMENTS AND SUBMIT TO EMARYLAND@DGS.STATE.MD.US TO BE PLACED IN AN ELECTRONIC CATALOG (ECATALOG) FORMAT SHOWING ONLY ITEMS COVERED BY THE CONTRACT AND THE CONTRACT PRICES FOR THOSE ITEMS (NON-CONTRACT ITEMS SHALL NOT BE INCLUDED);
3. ACCEPT AND PROCESS ORDERS, BILLINGS, PAYMENTS AND OTHER TRANSACTIONS USING EMARYLAND MARKETPLACE THROUGH THE USE OF CREDIT PURCHASING CARD, ELECTRONIC CARD, ETC. AS THE PREFERRED PAYMENT INSTRUMENTS FROM STATE AND LOCAL GOVERNMENTAL AGENCIES AUTHORIZED TO USE THIS CONTRACT AND ACCEPT PAYMENT BY INVOICE WHERE THE PAYMENT AMOUNT EXCEEDS THE CREDIT LIMIT IF OR NO OTHER MEANS PAYMENT IS AVAILABLE;
4. INTERACT AND INTERFACE WITH EMARYLAND MARKETPLACE, THE PROCUREMENT OFFICER, AND CONTRACTORS PROVIDING EMARYLAND MARKETPLACE TO THE STATE; AND
5. COMPLY WITH ALL STATE PROCEDURES AND REQUIREMENTS RESPECTING EMARYLAND MARKETPLACE.

ALL COSTS AND EXPENSES OF COMPLYING WITH THIS PROVISION SHALL BE BORNE BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE STATE.

FOR ADDITIONAL INFORMATION CONCERNING EMARYLAND MARKETPLACE, PLEASE CONTACT LISA MCDONALD AT (410)767-4084 OR LISA.MCDONALD@DGS.STATE.MD.US

***** LAST PAGE *****

AUTHORIZED BY: _____ DATE: _____
BUYER AUTHORIZED DESIGNEE

SECTION C

SPECIFICATIONS The Department of General Services – Statewide Solicitation #001IT820763/ MDDGS31036350

General Information:

Contract Period: Date of award through March 31, 2021 with two (2), one year renewal options.

There is a processing fee as mentioned and detailed in the solicitation.

Usage report must be furnished by the successful vendor detailing the purchase of all items on the contract including procurement card orders.

Quality: This contract will be cancelled upon written notice to the vendor if the commodities supplied are of an inferior quality or do not conform to the specifications of the bid and contract herein. The vendor will be responsible for monetary damages limited to the difference between contract price and open market purchase to fulfill the contract.

Acceptance: The vendor will be bound to the terms and conditions of this contract for duration unless otherwise cancelled by the Department of General Services.

Specification for Particulate Oil Absorbent Material ⁽⁵⁾

Material must meet all of the following including, packaging and delivery specifications. Any material that does not meet these specifications will not be accepted without the expressed prior approval of The Maryland Department of the Environment, Emergency Response Division.

I. Specification

1. Absorbent must be substantially and permanently hydrophobic (water repelling) and oleophilic (oil attracting) allowing it to readily absorb hydrocarbon liquids.

Water repellency may not rely on or be imparted by the application or infusion of starches.

Absorbent may not contain or be amended with any asphaltic or paraffinic coatings, resins or emulsions.

Absorbent must have extensive unfilled interstitial spaces and an average density of six pounds per cubic foot.

2. Absorbent must be manufactured from 100% reclaimed pre-consumer short fiber wood pulp.

Absorbent may not contain recycled or de-inked (post-consumer) cellulose fibers.

Absorbent may not contain clay based sorbent products. (Bentonite, Atapulgate, Kaolinite. etc.)

Absorbent may not contain feather based sorbent products in any form.

Absorbent may not contain peat based sorbent products in any form.

Absorbent may not contain non-pliable (overheated) polypropylene based sorbent products.

3. Absorbent must be non-incendive, non-hazardous and non-irritating to user.

Absorbent must be classified as a "non-static accumulating material"

Absorbent may not contain silica based sorbent products, free silica or mineral silicates.

Absorbent must not be comprised of, or amended with, any material that would be subject to Spontaneous Combustion at ambient temperatures and pressures when exposed to an atmosphere of pure oxygen for a protracted period of time. (As may be encountered aboard a Fire Department vehicle transporting Medical Oxygen and sorbent in the same compartment.)

Absorbent must be substantially devoid of outwardly projecting fibers and fiber ends.

4. Absorbent must be non-hazardous & non-toxic to Flora, Fauna and Aquatic Life

Absorbent may not contain any detectable amount of contaminants

Absorbent out of the bag must pass the following analysis as set forth in accordance with EPA – SW 846; TCLP Method 1311, PCBs – Method 8082A, PCDD & PCDF Method 8290, Chlorinated Herbicides Method 8151A, Organo Phosphates Method 8141B, Pesticides Method 8085, Metals Scan Method 6010C.

Long established sorbent product lines, previously tested for the above parameters in accordance with older methods prescribed under EPA 600/4-79-020, prior to the establishment of EPA SW-846 shall be considered acceptable after certifying that feed stocks and / or manufacturing processes and methods have not changed since analysis was performed.

Absorbent must be tested according to E.P.A. Methods for Measuring Acute Toxicity of Effluents to Freshwater and Marine Organisms (WET Test) to establish compliance with NPDES requirements. (See attached.)

Absorbent must be licensed for deployment in waterways, per the State of California - Department of Fish and Game criteria. The State of California Department of Fish and Game, Office of Spill Prevention and Response must license material as an Oil Spill Cleanup Agent as specified and approved. (See attached)
Materials exempted in the State of California will not be considered.

Any material that is comprised of, or contains, in any quantity, any of the following, SHALL NOT be considered:

Bioremediation agents: containing oil-degrading bacteria that serve a seeding function, or nutrients that serve to enhance the growth of naturally occurring bacteria. These agents are intended to be deliberately introduced into an oil discharge to increase the likelihood and/ or rate of biodegradation in an effort to mitigate the effects of the discharge.

Collecting agents: the function of which is to congeal, gel or emulsify oil. The end product of these actions is an agent-oil mass that remains afloat for later collection and disposal or in situ burning. Collecting agents include; emulsion treating agents, herding agents, elasticity modifiers etc.

Dispersing agents: the function of which is to reduce the interfacial surface tension between oil and water. Dispersing agents are usually, but not always surfactant-based chemical compounds, and are composed of both water and oil compatible constituents which allow oil particles to more easily enter the water column.

Sinking agents: The function of which is to combine with an oil, to cause sinking of the agent-oil mass.

II. Performance and Package.

1. Absorbent must have a minimum liquid absorption capacity of three (3) times its weight.
2. Absorbent will have a minimum oil absorption rate of seventy percent of capacity (weight / weight) within the first three minutes.
3. Absorbent must have a maximum water uptake and retention rate of less than two percent of absorption capacity. (Weight / weight)
4. Absorbent must have a one-hundred percent retention of "absorbed" liquids, over one hour when absorbing at a 3:1 weight-to-weight ratio.
5. Absorbent must pass a 60 minute Paint Filter Test for free liquids per EPA 9095 analysis method
6. Absorbent must be able to produce less than one (1)% ash residue when using incineration as the disposal method.
7. Absorbent alone should have a B.T.U. value not in excess of 7,500 B.T.U(s) per pound
8. Absorbent may be packaged in "vac pack"; "press pack" or "cube," type compression packages that impart form to the packaged material while in the unopened package, however, material must separate easily and shall be free flowing for easy handling and deployment after package is opened. Materials requiring lengthy and considerable physical break up or separation after being dispensed from the bag are unacceptable.
9. Absorbent must be packaged in a bag of sufficient strength and integrity, as to be capable of holding and containing soiled and contaminated absorbent products without leaking or bursting.
10. The bags shall be clearly labeled as to contents, safety precautions if any and the manufacturers name, address and contact information.
11. Material will be packaged in Sixty Liter bags. (60 L)

Part III - Delivery Requirements

Supplier must meet the following delivery requirements:

1. Absorbent will be delivered in lots of not less than 35 bags per delivery location when notified by MDE Emergency Response.
2. Absorbent to be delivered to locations throughout the State of Maryland, with up to ten delivery locations per truckload.
3. Absorbent will be delivered plastic wrapped on pallets, 35 bags per pallet.
4. Supplier will give each delivery location notice 24 hours prior to delivery allowing for arrangement of OFF-LOAD personnel and/or equipment.
5. Routine deliveries of sorbent will be delivered within twenty-one days of order being received from MDE Emergency Response.
6. Supplier will make arrangements with the delivery locations to retrieve and dispose of any and all pallets within one (1) week (7 days) of delivery.
7. The Absorbent is being purchased on a yearly or multi year contract; delivery locations are constantly subject to change and will be given to the supplier at the time of each individual order.
8. Supplier shall be capable of the immediate, (within eight hours of receiving request) delivery of not more than 8 pallets (280 bags) to any location within the State of Maryland, in the event of an emergency. Vendor must provide MDE ERD with 24 hour contact information and procedures at time of award.

All delivering drivers must hold a valid and current TWIC card issued by the U.S. Department of Homeland Security. (Transportation Workers Identity Card)

Performance Evaluation

All Bidders must supply a sample of the material offered by the bidder to fulfill the contract. All bidders must supply copies of all certifications, analyses and supporting documentation demonstrating specification compliance. Samples and documentation must be delivered to the Emergency Response Division at the address above, at the bidder's expense. Samples and documentation provided later than the close of business, March 5, 2018 will not be considered.

The sample shall consist of six bags of the material the bidder intends to provide to fulfill the contract.

Information found to be patently false, intentionally incomplete or otherwise misleading shall be cause for evaluation failure and disqualification.

The Maryland Department of the Environment reserves the right to, at any time, even after contract award, authenticate and confirm the information provided to support specification compliance, either by contacting the originator of the information or by performing its own field test and laboratory analyses.

1. DELIVERY

- A. No minimum or maximum, to be ordered on an "AS NEEDED" basis.
- B. All freight/shipping charges are to be included in bid submission.